

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

This matter is before the court upon the magistrate judge's recommendation that this case be dismissed. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B).

The Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.<sup>1</sup>

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that defendant's motion to dismiss is **granted**, and this case is dismissed with prejudice.

**ORDERED**, that the magistrate judge's report and recommendation is adopted as the order of this Court.

<sup>1</sup>Plaintiff's objections to the Report and Recommendation were due on May 3, 2010. Plaintiff filed a Motion for Extension of time to file objections on May 3, 2010. This court granted plaintiff's request for an extension on May 4, 2010, advising plaintiff objections were due on May 24, 2010. On May 19, 2010 plaintiff filed a second Motion for Extension of time to file objections which the court granted by Order filed on May 24, 2010, advising plaintiff that objections were due on June 24, 2010, and that there would be no further extensions. On June 24, 2010, plaintiff filed yet another Motion for Extension of time to file objections which this court denied by Order filed on July 2, 2010. Plaintiff's failure to file objections are a continuation of the dilatory manner in which plaintiff has pursued this case as is outlined in the Report and Recommendation.

**AND IT IS SO ORDERED.**



PMD  
PATRICK MICHAEL DUFFY  
United States District Judge

July 9, 2010  
Charleston, South Carolina